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Claimant and

Party to California Public Utilities Commission Proceeding I.19-09-016 to Consider the Ratemaking and Other Implications of a Proposed Plan for Resolution of Voluntary Case filed by Pacific Gas and Electric Company, pursuant to Chapter 11 of the Bankruptcy Code, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Corporation and Pacific Gas and Electric Company, Case No. 19- 30088.

Party to California Public Utilities Commission Proceeding I.15-08-019 to Determine whether Pacific Gas and Electric Company and PG&E's Corporation's Organizational Culture and Governance Prioritizes Safety

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

-and-

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the lead case,
No. 19-30088 (DM)*

Bankr. Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administrated)

***EX PARTE* MOTION OF WILLIAM B.
ABRAMS PURSUANT TO B.L.R.
9006-1 REQUESTING ORDER
SHORTENING TIME FOR HEARING
ON WILLIAM B. ABRAMS MOTION
TO DESIGNATE IMPROPERLY
SOLICITED VOTES PURSUANT TO
11 U.S.C. §§ 1125(B) AND 1126(E)
AND BANKRUPTCY RULE 2019**

Hearing: Telephonic Appearances Only

Date Request: April 21, 2020
Time: 10am PT
Place: Courtroom 17
450 Golden Gate Ave., 16th Floor
San Francisco, CA, 94102

1 William B. Abrams in the above-captioned chapter 11 case, hereby submits this Motion (the
2 “**Motion to Shorten**”), pursuant to Rule 9006-1 of the Bankruptcy Local Rules for United States
3 District Court for the Northern District of California (the “Bankruptcy Local Rules”), for entry of an
4 order shortening time for a hearing on Tuesday, April 21, 2020 at 10:00 a.m. (prevailing Pacific
5 Time), on the *WILLIAM B. ABRAMS MOTION TO DESIGNATE IMPROPERLY SOLICITED*
6 *VOTES PURSUANT TO 11 U.S.C. §§ 1125(B) AND 1126(E) AND BANKRUPTCY RULE 2019* (the
7 “**Motion to Designate Votes**”) filed contemporaneously herewith. William B. Abrams requests that
8 any responses or objections to the Motion to Designate Votes be in writing and filed with the Court
9 and served by 4:00 p.m. (prevailing Pacific Time) on Monday, January 20, 2020.

10 MEMORANDUM OF POINTS AND AUTHORITIES

11 I. JURISDICTION

12 The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334, the
13 Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges, General Order 24 (N.D.
14 Cal.), and Bankruptcy Local Rule 5011-1(a). This is a core proceeding pursuant to 28 U.S.C. §
15 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

16 II. SHORTENING TIME FOR HEARING ON THE MOTION TO DESIGNATE 17 VOTES IS WARRANTED

18 The victim claimant voting process began on March 31, 2020 with a concerted effort by some
19 prominent victim claimant attorneys to drive up the yes-votes before material matters of the
20 settlement (trust agreement, registration rights agreement, dilution terms, etc.) were negotiated and
21 disclosable to victims. There is no rational reason why any victim attorney looking out for their
22 clients’ best interests would look to drive to 2/3 vote before these material issues are resolved. This
23 effort to drive up the vote is guaranteed to reduce to leverage of TCC attorneys in the negotiations
24 and undermine the victim’s ability to have trust agreement terms in their favor. So, given those facts,
25 why would victim attorneys drive yes-votes prematurely and disadvantage their clients? Are there
26 motivations and incentive structures that would drive victim attorneys to undermine TCC
27 negotiations on behalf of victims?
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2 The more I saw signs of the well-funded strategic effort on behalf of victim attorneys to drive
3 a premature yes-vote (robo-calls, text-message campaigns, primetime TV spots, etc.) the more I
4 questioned the motivations and incentives behind those effort. Even if you are an attorney that
5 believes the eventual trust agreement and registration rights agreement is going to be good, wouldn't
6 you want to hold the voting process until the terms were improved for your clients (early trust
7 funding dates, favorable stock terms)? Why was it that the TCC did not participate in the cross-
8 examination of PG&E witnesses at the California Public Utilities Commission to advance their
9 clients' interest? Why would TCC and Fire Claimant Professional attorneys sign a Restructuring
10 Support Agreement (RSA) that would prevent them from speaking to their clients about the risks of
11 the plan and the yet to be completed trust agreement? Why did the TCC members resign? Why was
12 every disclosure I requested to be in the disclosure statement so that victims could get a fair and
13 balanced view of the plan unsupported by the TCC and argued against by the Debtors?

14 One of the first questions that Your Honor asked me when I first got engaged in this case was
15 to ask if I was here in "good-faith"? This question kept me up all the following night not because I
16 was bothered by the question but because I realized it was the most salient question in this case. Of
17 course, I was there in good-faith given that I lost money every time I went into the courtroom or put
18 pen to paper to write a motion. I needed to go home in the evenings and look my wife and my kids in
19 the eyes knowing that we all almost lost our lives the night of October 8, 2017. There could be no
20 other reason other than good-faith that I was in the courtroom.

21 Now, I know for certain that many of the attorneys and others that represent parties to this
22 proceeding are also here in good-faith and acting in the best interests of their clients. There are
23 certainly many in the courtroom looking out for the interests of victims. However, there is too much
24 evidence coming to the surface not to consider this matter in full. We must consider whether or not
25 the tens of billions of dollars at stake in this proceeding have resulted in conflicts of interests that are
26 driving adverse outcomes for victims and the public. These conflicts with victim interests
27 increasingly appear to be alignments of interests with shareholders, bondholders and/or other investor
28 interests and at a minimum are deserving of full disclosure to victims and this court. The litigation
financing, "lines of credit" and other potential conflicts interwoven across these stakeholders
deserves sunlight. I sincerely hope that through this full disclosure there are not the types of

1 prevalent conflicts that appear to be present at the surface. I hope that PG&E victims are not being
2 revictimized again through this bankruptcy process. However, hope alone is not sufficient to drive a
3 just plan and voting process for PG&E victims.

4 The court should consider the breadth of names mentioned close to material matters in this
5 case with the half disclosures connected to these “lines of credit” and litigation financing issues. It is
6 not enough to half disclose conflicts to distract from intermingled funding in order to partially
7 comply with bankruptcy rule 2019. It is not enough to deliver misleading advertising vote
8 solicitations void of disclosures and call that compliant with 11 U.S.C. §§ 1125(B) AND 1126(E).
9 There is more evidence that needs to be considered by the court and I urge Your Honor not to wait
10 until a later date. These matters are too critical to the case to be pushed to a later date when more
11 votes and the voting process itself would undermine the plan and the process as a whole. As a PG&E
12 wildfire survivor, it is with respect and a heavy heart that I request a hearing to be set to consider
13 these issues.

14 **III. NOTICE**

15 Notice of this Motion to Shorten will be provided to (i) counsel to the Debtors; (ii) the Office
16 of the U.S. Trustee for Region 17 (Attn: Andrew R. Vara, Esq. and Timothy Laffredi, Esq.); (iii)
17 counsel to the Creditors Committee; (iv) counsel to the Tort Claimants Committee; (v) the Securities
18 and Exchange Commission; (vi) the Internal Revenue Service; (vii) the Office of the California
19 Attorney General; (viii) the California Public Utilities Commission; (ix) the Nuclear Regulatory
20 Commission; (x) the Federal Regulatory Commission; (xi) the Office of the United States Attorney
21 for the Northern District of California; (xii) counsel for the agent under the Debtors’ debtor in
22 possession financing facility; and (xiii) those persons who have formally appeared in these chapter 11
23 cases and requested service pursuant to Bankruptcy Rule 2002. As a Pro Se party to this proceeding,
24 William B. Abrams respectfully submits that this will be accomplished through email to the service
25 list and that no further notice is required. I have filed this Motion to Shorten and the “*WILLIAM B.*
26 *ABRAMS MOTION TO DESIGNATE IMPROPERLY SOLICITED VOTES PURSUANT TO 11 U.S.C.*
27 *§§ 1125(B) AND 1126(E) AND BANKRUPTCY RULE 2019*” according to the court COVID
28 procedures for Pro Se parties.

1 No previous request for the relief sought herein has been made by William B. Abrams to this
2 or any other court.

3 **WHEREFORE** William B. Abrams respectfully requests entry of an order granting (i) the
4 relief requested herein and (ii) such other and further relief as the Court may deem just and proper.
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8 Dated: April 19, 2020
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11 Respectfully submitted,

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14 William B. Abrams

15 Claimant
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